

REPLY

To: Examiner of the Patent Office

1. Identification of the International Application

PCT/JP2004/014667

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4. Date of Notification: 21.12.2004

5. Subject Matter of Reply:

(1) The following is the negative statement raised in the Written Opinion of the International Searching Authority regarding the present application.

i) Statement

Novelty (N) Yes: Claims 6-8, 15, 20-29

No: Claims 1-5, 9-14, 16-19, 30-32

Inventive step (IS)

No: Claims 1-32

ATTACHMENT "H"

Industrial applicability (IA) Yes: Claims 1-32

ii) Citations

D1: US 2003/005135 A1 (INOUE MITSUHIRO ET AL) 2 January, 2003

D2: EP-A-1 043 878 (SONY CORP) 11 October, 2000

D3: WO 00/59150 A (MICROSOFT CORP) 5 October, 2000

D4: WO 01/95175 A (SEALEDMEDIA LTD; LAMBERT MARTIN RICHARD (GB)) 13 December, 2001

D5: US-B-6 389 5381 (MILSTED KENNETH L ET AL) 14 May, 2002

iii) Explanations

(a) Document D1, which is considered to represent the closest prior art to the present application, discloses according to all the features of claim 32. Accordingly, the present application does not meet the criteria mentioned in Article 33(1) PCT, because the subject-matter of independent claims 1 and 30-32 is not novel in the sense of Article 33(2) PCT.

(b) Additionally, dependent claims 2-29 do not appear to contain any additional technical features which, either alone or in combination with the features of any claim to which they refer, meet the requirements of the PCT with respect to novelty (Article 33(2) PCT) or inventive step (Article 33(3) PCT).

(2) Present Invention

The invention according to claim 32 is a content reproduction control method used for a content reproduction control system comprising a server apparatus and a terminal apparatus that are connected to each other via a communication path, the method including steps A executed in the server apparatus and steps B executed in the terminal apparatus, wherein the steps A include steps of: generating control information that generates, based on time information attached to the content, control information which specifies a range for permitting or prohibiting a user's predetermined operation on a content in the terminal apparatus; and distributing the control information to the terminal apparatus, the steps B include steps of:

using the content; and controlling a reproduction of the content based on the received control information, the reproduction being included in the use of the content.

This structure makes it possible to securely control use of a specific portion of the content without embedding special information into the content for the use control.

In other words, the feature of the present invention is to control a portion to be viewed in the content, using the time information attached to the content.

As a consequence, a provider can specify which portion of the content is permitted/ prohibited for a special reproduction.

Furthermore, the time information is securely associated with the content as the time information is encoded. Therefore, viewing of the content can be securely controlled.

### (3) Comparison with Cited Documents

Document D1 discloses to control use of a content using a license distributed separately from the content. In this point, Document D1 has a similarity with the present invention.

However, Document D1 discloses to control the content use depending on an expiration date or a use start time/end time of the license, and neither describes nor indicates the following structure of the present invention. In the present invention, a server apparatus generates, based on time information attached to the content, control information which specifies a range for permitting and prohibiting a predetermined operation on the content in a terminal apparatus, and the terminal apparatus controls a reproduction of the content based on the received control information.

In other words, Document D1 neither discloses nor indicates the structure of the present invention for controlling the range for permitting and prohibiting the special reproduction of the content using the secure time information attached to the content.

Documents D2 to D5 disclose to control the content use using the license distributed separately from the content. In this point, Documents D2 to D5 have a similarity with the present invention. However, similar to Document D1, Documents D2 to D5 also disclose to control the content use depending on an expiration date or a use start time/end time of the license,

and neither describe nor indicate the following structure of the present invention. In the present invention, a server apparatus generates, based on time information attached to the content, control information which specifies a range for permitting and prohibiting a predetermined operation on the content in a terminal apparatus, and the terminal apparatus controls a reproduction of the content based on the received control information.

It should be noted that Document D5 describes to obtain use records (history) of the content. In this point, Document D5 has a similarity with Claims 20 and 21 of the present invention. However, Document D5 neither describes nor indicates to control a range for permitting and prohibiting a special reproduction of the content using a viewing record of a viewed portion of the content.

In other words, none of Documents D1 to D5 describes or indicates to control the content use (special reproduction) using the time information attached to the content.

i) It is presumed that the Examiner considers the description "start time/ end time during which the content can be used" in the cited documents is the point of similarity with the present invention. However, this description indicates an absolute time during which the content use is permitted/ prohibited. Therefore, it is completely different in nature from controlling the use permission/prohibition of a portion of the content.

ii) The Examiner may have misunderstood the meaning of a "range" described in "control information which specifies a range for permitting and prohibiting a user's predetermined operation" in the Claims of the present invention.

#### (4) Conclusion

As described in the above, the invention according to Claim 32 includes a constituent feature that is neither described nor indicated in Documents D1 to D5. Therefore, we believe that the invention has novelty and an inventive step. The same reasoning applies to the inventions according to Claims 1, 30 and 31.

Additionally, the Examiner has pointed out that the dependent claims 2 to 29 do not appear to contain any additional features of any claim to which they refer. However, since Claim 1 has novelty and an inventive

step as described in the above, we believe that the dependent claims 2 to 29 also have novelty and an inventive step.

We hope to receive a positive statement in the international preliminary examination regarding this application.